



City of Seattle

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Gregory J. Nickels, Mayor  
**Department of Planning and Development**  
D. M. Sugimura, Director

**CITY OF SEATTLE  
ANALYSIS AND DECISION OF THE DIRECTOR OF  
THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

**Application Number:** 2306391  
**Applicant Name:** Doug Hannam for Lake Stickney LLC  
**Address of Proposal:** 13703 Greenwood Ave N

**SUMMARY OF PROPOSED ACTION**

Master Use Permit to subdivide one parcel into two (2) lots (unit lot subdivision). Proposed lot sizes are: A) 3,597.0 square feet and B) 6,134.5 square feet. This subdivision of property is only for the purpose of allowing sale or lease of the unit lots. Development standards will be applied to the original parcel and not to each of the new unit lots. Related projects: establish use and construct two story one unit addition to existing single-family residence, change use from single-family residence to two ground related townhouse dwellings (multi-family), all under MUP No. 2207903 Permit No. 740176.

The following approval is required:

**Short Subdivision** - to subdivide one (1) existing parcel into two (2) lots as a unit lot subdivision. (Chapter 23.24, Seattle Municipal Code).

**SEPA DETERMINATION:** ☒ Exempt ☐ DNS ☐ MDNS ☐ EIS

☐ DNS with conditions

☐ DNS involving non-exempt grading, or demolition, or involving another agency with jurisdiction.

## **BACKGROUND DATA**

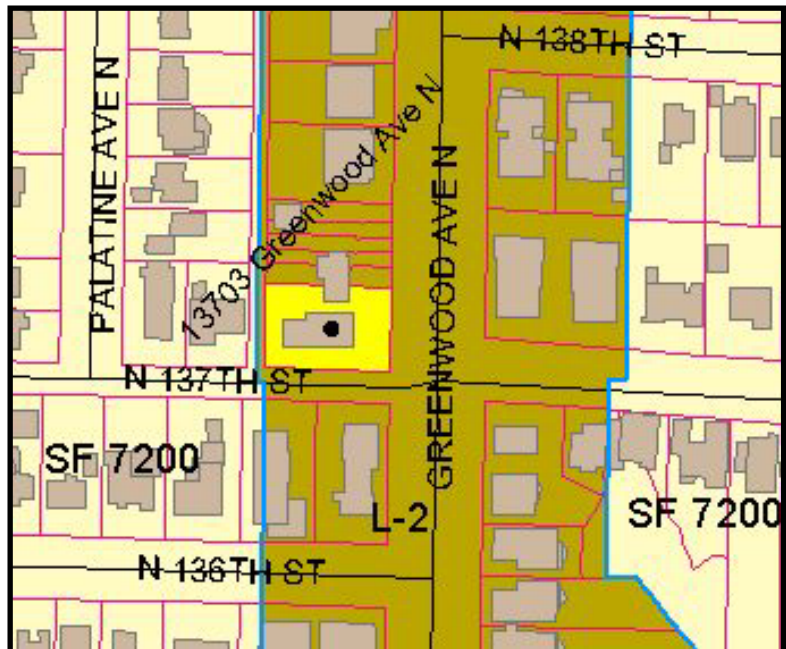
The approximately 9,733 square foot rectangular proposal site is located in a multi-family residential lowrise 2 (L2) zone between Greenwood Ave N and Palatine Ave N, just north of N 137<sup>th</sup> St. The proposal site has approximately one-hundred-twenty (120) lineal feet of street frontage on N 137<sup>th</sup> St, and eighty-one (81) lineal feet of street frontage on Greenwood Ave N. Both abutting streets have no curbs, gutters or sidewalks. There is an unimproved alley adjacent to the site, but due to overgrowth and trees located in the alley, vehicle access is taken from N 137<sup>th</sup> St. The site is heavily vegetated with brush, grass, and several trees (3 Fir, 4 Maple, 1 Pine). The site contains Steep Slope Environmentally Critical Areas (ECAs) as mapped and designated by the City of Seattle. A steep slope exemption was granted under MUP No. 2207104. Pursuant to SMC 25.09.040-D2 the construction permit (MUP No. 2207903 Permit No. 740176) was exempted from ECA development and submittal requirements, “the project impacts are well away from the ECA and ECA buffers...” To clarify, subdivisions are generally not exempt from SEPA review unless a development site has been determined to be exempt under the exemption provisions contained in Chapter 25.09. As a result of the given exemption (MUP No. 2207104) and per SMC 25.05.908-C, the current development site was exempted from the requirements of SMC 25.09 and therefore this application for a unit lot subdivision is also exempt from SEPA review.

### **Area Development**

Zoning in the vicinity is multi-family residential Lowrise 2 with Single-Family (SF 5000) zoning to the south. Development in the vicinity includes a mix of single and multifamily residences.

### **Proposal**

The proposal is to subdivide one parcel into two (2) unit subdivision lots with vehicle access from N 137<sup>th</sup> St for both the existing structure (to remain) and proposed addition. Vehicle access for the proposed ground related townhouses will be provided via a fifteen (15) foot easement with existing curbcut (10') access provided from N 137<sup>th</sup> St. Vehicle access for the existing dwelling is also from N 137<sup>th</sup> St, via a revised ten (10) foot curbcut. The existing and proposed dwellings will have two parking spaces located within the structures. The proposed dwelling will also have two surface parking spaces, one tandem, both located within the required rear setback. Proposed lot sizes are as indicated in the summary above. Both unit lots will have direct pedestrian access to public rights-of-way, unit lot A will have direct pedestrian access to both N 137<sup>th</sup> St and Greenwood Ave N, while unit lot B will have direct pedestrian access to Greenwood Ave N.



### Public Comments

The comment period for this proposal ended on October 15, 2003. During the public comment period, DPD received no written comments related to the project.

### ANALYSIS - SHORT SUBDIVISION

Pursuant to SMC 23.24.040, no short plat shall be approved unless all of the following facts and conditions are found to exist:

1. *Conformance to the applicable Land Use Code provisions;*
2. *Adequacy of access for vehicles, utilities, and fire protection, as provided in Section 23.53.005;*
3. *Adequacy of drainage, water supply, and sanitary sewage disposal;*
4. *Whether the public use and interests are served by permitting the proposed division of land;*
5. *Conformance to the applicable provisions of SMC Section 25.09.240, short subdivision and subdivisions, in environmentally critical areas;*
6. *Is designed to maximize the retention of existing tree;*
7. *Conformance to the provisions of Section 23.24.045, Unit lot subdivisions, when the short subdivision is for the purpose of creating separate lots of record for the construction and/or transfer of title of townhouses, cottage housing, clustered housing, or single-family housing.*
8. *Conformance to the provisions of Section 23.24.046, Multiple single-family dwelling units on a single-family lot, when the short subdivision is for the purpose of creating two (2) or more lots from one (1) lot with more than one (1) existing single-family dwelling unit.*

Based on information provided by the applicant, referral comments from the Department of Planning and Development, Drainage Section, the Fire Department, Seattle Public Utilities (City Light and the Water Department), and review by the Land Use Planner, the following findings are made with respect to the above-cited criteria:

1. *Conformance to the applicable Land Use Code provisions;*

The subject property is zoned for multi-family Lowrise 2 (L2) use. The allowable density of the subject property is one unit per one-thousand two-hundred (1,200) square feet of lot area. Given a lot area of approximately 9,733 square feet, eight (8) units are allowed and two (2) are proposed. Maximum lot coverage for townhouses is 50%. Front setbacks are an average of the setbacks of the first principal structures on either side, the maximum required setback is fifteen (15) feet and the minimum is five (5) feet. The minimum side setback is five (5) feet; the actual required setback is based on the structure depth and height of the facade adjacent to the side property line. Rear setback is twenty (20) feet or twenty percent (20%) of the lot depth, in no case less than fifteen

(15) feet, in this case the rear setback is twenty (20) feet measured from the centerline of the alley. The proposed parcels provide adequate buildable area to meet applicable setbacks, lot coverage requirements, and other Land Use Code development standards. The existing and proposed structure has been reviewed for consistency with applicable zoning requirements under MUP No. 2207903 Permit No. 740176.

2. *Adequacy of access for vehicles, utilities, and fire protection, as provided in Section 23.53.005;*

The Seattle Fire Department has no objection to the proposed short plat. All private utilities are available in this area. Seattle City Light provides electrical service to the proposed short plat. City Light has reviewed the proposal and requires an easement (#260324-1-021) to provide for electrical facilities and service to the proposed lots in addition to the utility easement identified on the proposed short plat, which must be included on the final plat. This short plat provides for adequate access for vehicles, utilities, and fire protection.

3. *Adequacy of drainage, water supply, and sanitary sewage disposal;*

This area is served with domestic water, sanitary sewer, and stormdrain facilities by the City of Seattle. Availability of service is assured subject to standard conditions of utility extension. The short plat application has been reviewed by Seattle Public Utilities and a Water Availability Certificate was issued on September 22<sup>nd</sup>, 2003 (WAC ID No 2003-1044). There is a substandard four (4) inch CIP water main located in Greenwood, which currently serves the site. There is a twelve (12) inch public sanitary sewer (PSS) located in Greenwood Ave N that serves the development. Plan review requirements were made at the time of building permit application in accordance with any applicable stormwater ordinances in effect at that time.

4. *Whether the public use and interests are served by permitting the proposed division of land;*

The proposed short subdivision is consistent with and will meet all minimum Land Use Code provisions. The proposed development has adequate access for vehicles, utilities and fire protection, and has adequate drainage, water supply and sanitary sewage disposal. Therefore, the public use and interests are served by permitting the proposed subdivision of land while also maintaining the character of the neighborhood. The proposal will meet all applicable criteria for approval of a short plat upon completion of the conditions in this analysis and decision.

5. *Conformance to the applicable provisions of SMC Section 25.09.240, short subdivision and subdivisions, in environmentally critical areas;*

The site contains a steep slope Environmentally Critical Area. The site is subject to the steep slope development standard requirements of SMC 25.09.0180, "Development standards for steep slopes."

A steep slope exemption was granted under MUP No. 2207104. Pursuant to SMC 25.09.040-D2, the construction permit (MUP No. 2207903 Permit No. 740176) was exempted from ECA development and submittal requirements, “the project impacts are well away from the ECA and ECA buffers...” To clarify, subdivisions are generally not exempt from SEPA review unless a development site has been determined to be exempt under the exemption provisions contained in Chapter 25.09. As a result of the given exemption (MUP No. 2207104) and per SMC 25.05.908-C, the current development site was exempted from the requirements of SMC 25.09 and therefore this application for a unit lot subdivision is also exempt from SEPA review. Further development of the site, depending on the scope of work, may not be exempt under this same provision.

To assure that future owners have constructive notice that the site contains an identified steep slope ECA, a note shall be placed on the final plat which discloses this. Additionally, the topographic survey submitted as a part of this application shall be attached to the final plat and recorded with this unit lot subdivision.

6. *Is designed to maximize the retention of existing tree;*

There are eight (8) trees on site as evidenced by the required survey submitted at the time of this application, three (3) Fir, four (4) Maple, and one (1) Pine. One tree will be removed; a (24”) Fir tree, as it is located near the footprint of the ground related dwelling addition. SMC 23.45.015 (C.1.b) requires that all new multifamily dwelling units plant or preserve on site trees. The lot size of the proposal requires that at least nineteen (19) caliper inches of trees be planted or preserved on site. The tree requirement was reviewed under MUP No. 2207903 Permit No 740176.

7. *Conformance to the provisions of Section 23.24.045, Unit lot subdivisions, when the short subdivision is for the purpose of creating separate lots of record for the construction and/or transfer of title of townhouses, cottage housing, clustered housing, or single-family housing.*

One ground related dwelling (townhouse) on the subject site is proposed to be developed, which will be attached to the existing single-family residence, and as a result both dwellings will be ground related townhouse dwellings. Pursuant to SMC 23.24.045(A&B), sites developed or proposed to be developed with townhouses, cottage housing, clustered housing, or single-family housing may be subdivided into individual nonconforming unit parcels if development as a whole on the parent lot meets applicable Land Use Code development standards. To assure that future owners have constructive notice that additional development may be limited due to nonconformities; the following statement shall be required to be included as a note on the final short subdivision: *The unit lots shown on this site are not separate buildable lots. Additional development on any individual unit lot in this subdivision may be limited as a result of the application of development standards to the parent lot pursuant to applicable provisions of the Seattle Land Use Code, Chapter 23 of the Seattle Municipal Code.*

The conformance of the proposed development as a whole with the applicable Land Use Policies and Code Provisions has been reviewed under MUP No. 2207903 Permit No. 740176. These provisions include, but are not limited to, setback, lot coverage, building

height, usable open space, landscaping, and parking requirements. Consistent with Section 23.24.045(C), additional development of the proposed lots shall be limited. Subsequent platting actions, or additions or modifications to the structure(s) may not create or increase any nonconformity of the parent lot. Subsequent actions that would create any nonconformity of proposed Lots A and B are also not permitted. Consistent with Section 23.24.045(D), access easements and joint use and maintenance agreements shall be executed for parking areas, driveway and pedestrian access if necessary. Therefore, the proposed short subdivision conforms to the provisions of Section 23.24.045 for unit lot subdivisions.

8. *Conformance to the provisions of Section 23.24.046, Multiple single-family dwelling units on a single-family lot, when the short subdivision is for the purpose of creating two (2) or more lots from one (1) lot with more than one (1) existing single-family dwelling unit.*

This subdivision application is not a short subdivision for single-family dwellings but rather a multi-family unit lot subdivision, therefore this section does not apply.

#### Summary

The lots to be created by this unit subdivision may not individually meet all of the zoning requirements for the Lowrise 2 (L2) zone, including setbacks, density, and structure width and depth, consistent with the provisions of SMC 23.24.045. However, the development when considered as a whole does meet all standards set forth in the Land Use Code. This unit subdivision is provided with vehicular access, and public and private utilities and access, including emergency vehicles. Adequate provisions for water supply and sanitary sewage disposal have been provided for each lot and service is assured, subject to standard conditions governing utility extensions. Adequate provisions for drainage control have also been provided.

#### **DECISION - SHORT SUBDIVISION**

The proposed Short Subdivision is **CONDITIONALLY GRANTED**.

#### **CONDITIONS - SHORT SUBDIVISION**

##### Conditions of Approval Prior to Recording

The owner(s) and/or responsible party(s) shall:

1. Have final recording documents prepared by or under the supervision of a Washington state licensed land surveyor. Each lot, parcel, or tract created by the short subdivision shall be surveyed in accordance with appropriate State statutes. The property corners set shall be identified on the plat and encroachments such as side yard easements; fences or structures shall be shown. Lot areas shall be shown on the plat. All existing structures, principal and accessory, shall be shown on the face of the plat, and their distances to the proposed property lines dimensioned.
2. Submit the final recording forms for approval and any necessary fees.

3. Insert the following on the face of the plat: "This site includes designated Steep Slope areas and the Landslide-Prone Development Standards continue to apply to this site."
4. Include an easement to provide for electrical facilities and service to the proposed lots as required by Seattle City Light (aka Exhibit A) on the final Short Subdivision (#260324-1-021).
5. Insert the following on the face of the plat: "The unit lots shown on this site are not separate buildable lots. Additional development on any individual unit lot in this subdivision may be limited as a result of the application of development standards to the parent lot pursuant to applicable provisions of the Seattle Land Use Code, Chapter 23 of the Seattle Municipal Code."
6. Provide a joint maintenance and responsibility agreement for maintenance and use of shared walls on property lines and all ingress, egress and utility easements.

Signature: (signature on file) Date: February 26, 2004  
Lucas DeHerrera, Land Use Planner  
Department of Development and Planning  
Land Use Services (RIC)